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MEMORANDUM TO: CLERKS, UNITED STATES BANKRUPTCY COURTS

SUBJECT: New Electronic Bankruptcy Noticing Options Available (**INFORMATION**)

As a result of the recent amendment of Federal Rule of Bankruptcy Procedure 9036, authorizing the use of electronic notices by bankruptcy clerks, I am pleased to announce that the judiciary's Electronic Bankruptcy Noticing (EBN) program has been expanded to offer additional e-mail notification options for notice recipients. The EBN E-mail Link service was developed by the Bankruptcy Noticing Center (BNC) contractor, BAE Systems, based upon requirements established jointly by the Administrative Office and the Bankruptcy Noticing Working Group. Currently EBN represents between 11 - 13% of all notices sent through the BNC. The new EBN E-mail Link service is expected to provide a major increase in EBN participation rates and lower the bankruptcy courts' \$24 million-per-year BNC postage expenditure. The EBN E-mail Link service is being offered by the BNC beginning today.

Similar to the CM/ECF Notice of Electronic Filing (NEF), the new service provides subscribers with e-mail containing links to a PDF version of the notice in place of paper. EBN E-mail Link is aimed at the large volume of non-CM/ECF creditors who receive the majority of the notices sent through the BNC (e.g., creditors listed in the debtor's schedules who may not have attorney representation). All notice types can be sent by EBN E-mail Link. Three subscriber options are available:

Option 1 - Single e-mail, per day and court, with a list of links (up to 25) to individual PDF files for each notice to the subscriber for that day; or

Option 2 - Multiple e-mails per day, with each e-mail containing a single link to a single PDF file for each notice transmitted to the subscriber for that day, separated by court; or

Option 3 - A single daily e-mail with a link to one PDF file that contains a compilation of all the notices transmitted to the subscriber for that day, separated by court.

The new E-mail Link service takes advantage of amended Rule 9036 in that a subscriber's Internet Service Provider (ISP) or e-mail network does not need to provide electronic confirmation that a notice was received. Subscribers will have access to electronic notices 24 hours a day, seven days a week for a period of 30 days following the notice date. Similar to the CM/ECF Notice of Electronic Filing (NEF), the hyperlink is subject to the judiciary's Electronic Public Access fee schedule and is provided as single-use only; after initial access to the link, subsequent access attempts will automatically redirect the recipient to the court's CM/ECF login screen.

The BNC will manage all administrative aspects of the program through the National Creditor Registration Service so there will be no impact on the clerk's office workload. BNC customer support representatives will market the service to prospective noticing partners and provide assistance to existing customers. The contractor will also monitor e-mail bounce-backs and follow-up with EBN subscribers and/or ISPs as needed. Transmission through the new notice types will be reflected on the BNC Certificate of Service transmitted to courts.

Additional information and documentation, including updated noticing agreements, are available on the BNC EBN web site at <http://www.ebnuscourts.com>. Also, a draft press release is attached that you might consider sharing on your court's website. Should you have any questions about the new service, please contact Gary McCaffrey, AO Noticing Program Manager, (202) 502-1540, or by e-mail: Gary McCaffrey/DCA/AO/USCOURTS; or Paul Warren, Chair, Bankruptcy Noticing Working Group, and New York Western Bankruptcy Clerk, (585) 613-4222, or by e-mail: Paul Warren/NYWB/02/USCOURTS. Please refer all public inquiries related to the EBN program to the EBN Customer Support line at (877) 837-3424.



Glen K. Palman

Attachment

cc: Chief Judges, United States Bankruptcy Courts
BNC Contacts

Sample E-mail Link Service Press Release

New Electronic Bankruptcy Noticing Options Available through the E-mail Link Service

The United States Bankruptcy Court for _____ is pleased to announce additional electronic mail notification options for bankruptcy case participants. The E-mail Link service was developed to provide creditors fast, easy and free electronic access to their bankruptcy notices in place of paper notices received through the U.S. Mail. The service is provided through the national Bankruptcy Noticing Center/Electronic Bankruptcy Noticing program.

The new service provides subscribers with e-mail containing links to Adobe Portable Document Format (PDF) versions of court notices in place of paper. E-mail Link is aimed at the large volume of non-Case Management/Electronic Case Files (CM/ECF) creditors who receive the majority of the notices in paper format (e.g., creditors listed in the debtor's schedules who may not have attorney representation). All notice types can be sent by E-mail Link.

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Option 2 - Multiple e-mails per day, with each e-mail containing a single link to a single PDF file for each notice transmitted to the subscriber for that day, separated by court; or

Option 3 - A single daily e-mail with a link to one PDF file that contains a compilation of all the notices transmitted to the subscriber for that day, separated by court.

There are no registration fees, commitments, or other obligations required in order to use E-mail Link. The only program requirement is that you have a valid e-mail account which you agree to maintain.

For additional information, visit the Electronic Bankruptcy Noticing web site at <http://www.ebnuscourts.com>, or call the toll-free support line at (877) 837-3424.